



State of Connecticut COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

450 Columbus Boulevard, Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

Government Administration and Elections Committee Public Hearing March 10, 2021

CHRO Testimony Regarding:

SB 753 – AAC the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts

Good afternoon Senator Flexer, Representative Fox, Senator Sampson, Representative Mastrofrancesco and members of the Government Administration and Elections Committee, thank you for the opportunity to submit regarding SB 753, An Act Concerning the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts.

The Commission on Human Rights and Opportunities strongly supports SB 753, which will count incarcerated individuals in the geographical area in which they resided prior to incarceration, rather than in the geographical area where they are incarcerated for Census purposes. As the agency that supports and protects individuals from discrimination based on their protected classes, including but not limited to race, color, ancestry, and national origin, this bill fits squarely within our mission.

The fact remains that Black and Latinx individuals are over-represented in Connecticut's prisons due to longstanding inequities in our criminal justice system. When individuals are counted as residents of the geographical area where they are incarcerated instead of where they resided prior to incarceration, the state implicitly conveys that incarcerated persons are not expected to rehabilitate and return to their communities. Yet incarcerated individuals are in fact rehabilitated and released to communities' whose count does not include them. And because the prison population is disproportionately Black and Latinx, those same communities are undercounted and underfunded.

Census data is used for allocation of both representatives in state and federal legislative bodies and funding for education and other services. The majority of Connecticut's prisons are located in predominantly White, rural areas. By gerrymandering the data to count incarcerated people in the areas where they are imprisoned, those areas with prisons receive enhanced representation in the legislatures and undue increased funding which is mismatched with the actual number of residents in the geographical area.¹ Ironically, the incarcerated people do not even benefit, as they are not permitted to vote or enjoy the services purchased with those funds. Inversely, the geographical areas where the disproportionately Black and Latinx individuals subject to incarceration actually live are deprived of full representation in the legislature and of educational and other community-based funding. This unjust system literally redistributes resources from predominantly Black and Latinx communities to predominantly White communities. We do not want to perpetuate this undercounting and undervaluing of

¹ [New fact sheet about prison gerrymandering in Connecticut | Prison Gerrymandering Project \(prisonersofthecensus.org\)](https://www.prisonersofthecensus.org/)

incarcerated people in an inequitable system that perpetuates institutional racism because we want to shed any vestiges of a time when the infamous 3/5ths clause of the original U.S. Constitution prevailed.

Connecticut can and should do better for its residents. We should count incarcerated individuals in their home geographical area, rather than where they are incarcerated, so that their communities receive the benefit of their residence. This is a simple logical step to take towards correcting a grave injustice.